

# GUN VIOLENCE: DO STOLEN MILITARY PARTS PLAY A ROLE?

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4. G 74/9: S. HRG. 103-774

un Violence: Do Stolen Military Pa...

## HEARING BEFORE THE COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE ONE HUNDRED THIRD CONGRESS FIRST SESSION

NOVEMBER 18, 1993

Printed for the use of the Committee on Governmental Affairs



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# GUN VIOLENCE: DO STOLEN MILITARY PARTS PLAY A ROLE?

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THURSDAY, NOVEMBER 18, 1993

U.S. SENATE,  
COMMITTEE ON GOVERNMENTAL AFFAIRS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:00 a.m., in room 342, Dirksen Senate Office Building, Hon. John Glenn, Chairman of the Committee, presiding.

Present: Senators Glenn, Levin, Lieberman, Akaka, Stevens, Cohen, and Bennett.

## OPENING STATEMENT OF CHAIRMAN GLENN

Chairman GLENN. The hearing will be in order. I am sorry for the delay this morning, but we had a vote on the floor.

Nearly 70 percent of the murders in the U.S. in 1992 were due to guns. Fifteen-thousand-three-hundred-and-seventy-seven people were killed by gunfire in 1992, 451 in the District of Columbia alone, many of those within just a few blocks of where we are right now.

We in the Congress have spent the past several weeks debating the causes of such appalling statistics, trying to fashion measures which would help reduce them. We have agreed to add money to put more police on the street. We have debated tougher sentences, more Federal crimes, additional housing or prisons for prisoners, and many other ideas.

As we consider these measures, the entire Nation is grappling with the grave problem of an increasing violence in society, and our constituencies have told us that crime is their biggest single worry today.

It is obvious that the easy availability of weapons to those with criminal motive is a factor in the increase of violent crime. Keeping sophisticated weapons out of the hands of criminals should be a top priority. That means, among other things, that the largest holder of sophisticated weapons, the military, must carry out its special responsibility to keep such weapons and their spare parts secure.

GAO has found that stolen military weapons parts are readily available at gun shows across the country. The presence of these parts in open markets may be contributing to the bloodshed which has gripped our citizens with fear.

We are going to hear today from a Los Angeles police detective who has seen this first hand, military weapons, even artillery, in the hands of criminals on the streets of Los Angeles.

I have here before me just some of the parts that were picked up by GAO at some of the gun shows here, parts that will let a semi-automatic AR-15 go into full automatic fire, just with this little kit of parts here that I hold in my hand, so that you have a more lethal weapon, you have something that is highly prized by some of the gangs, and these are military parts that have gotten out of the military system and are out there now to be used to make an AR-15 into a fully automatic weapon.

The presence of these parts in open markets may be contributing to the bloodshed that has gripped our citizens with fear. You can see that these parts aren't very large. In fact, you can hold all of them in one hand without any problem.

Past investigations have found that the military wasn't doing a very good job of keeping track of its equipment, but today we are not discussing the problem of just engines rusting in a field at an Army depot. We had a hearing on that not too long ago. The inventory problem we are looking at today has more far-reaching and dangerous implications for the American public, especially those people who live in everyday fear of gun violence.

The small weapons parts that I just showed you here could add a dangerous new wrinkle to the out-of-control problem of automatic weapons on the street. I would hate to think Uncle Sam has become a contributor instead of the solution to this problem.

For example, as the GAO reports, parts similar to these were stolen off a military base in Michigan and sold to a national gun dealer. As it turns out, this gun dealer has also been linked to the sale of small arms parts to the Branch Davidian religious cult in Waco, Texas. Could it be possible that David Koresh's arsenal was strengthened by stolen U.S. military parts? It could be. I don't have the answer to that question, but you can see that there are frightening consequences to small arms parts theft.

At past hearings, this Committee has received numerous promises that the Army would resolve its inventory problem. We have been hearing this for 3 years now, with a whole series of GAO reports. These promises that the problems are going to be solved are beginning to have a very hollow sound.

The report we are releasing today is the latest in a long series of GAO reports on the same subject. They have given us such reports practically every 6 months, in May 1990, November 1990, August 1991, and March 1992. So what is being done? Why isn't something being done? Why haven't we corrected this particular problem? I certainly hope the threat of military hardware our Nation's streets changes this all talk and no action policy.

Today we will be examining the issue of the theft of small arms parts at several military bases. Several General Accounting Office reports issued in the past 3 years have explored the problem of theft of small arms at military bases across the country. Following up on these reports, I asked the GAO to look at the steps taken by the Army to prevent thefts of small arms parts and evaluate their effectiveness.

Today's hearing focuses on the most recent GAO report, which found that internal controls were deficient at the military sites they visited. Lax controls at military storage facilities have resulted in thefts of parts by both military personnel and civilians.



These lax controls also raise another important question. If these sensitive gun parts are leaving military bases, what about other military supplies? We will hear about everything from batteries to rocket launchers being stolen. This is indicative of a major problem with security and with taxpayer funds just being wasted.

Yesterday we approved the Department of Defense authorization bill. How much of that money is going to be used to put oil or gas in the cars of non-military personnel? Not only is this shocking because of the loss of taxpayer dollars due to theft, but also because the GAO found that some of the parts stolen are those that are used to convert semi-automatic rifles into automatic machine guns. Those are the same automatic machine guns which we have passed laws to prohibit.

A recent poll by the DeHere Foundation taken between October 21 and 24 of this year found that 92 percent of those surveyed supported a complete ban on semi-automatic weapons. We have just passed an amendment to the crime bill which prohibits possession even of those same semi-automatic rifles, which will be discussed here.

The GAO report issued today is quite definite in its assessment of the military's security systems. It does not say that security systems could be tightened. Rather, the report concludes in strong language that the inventory control, computer tracking systems, and physical security of small arms parts are so weak that the system appears to be out of control. Army inattention to parts control has led to increased availability of potentially dangerous parts and material with dire consequences.

We address today the findings of the GAO and what the Army intends to do to call a halt to future theft. Our first panel today is from the GAO. We look forward to hearing from Ms. Donna Heivilin of the GAO about the important conclusions contained in the report.

We will hear from Mr. Carter, formerly of the Michigan Guard, who will discuss his personal knowledge of and involvement with the weaknesses of the supply system at the base in which he worked. It is ironic that at the same time the District of Columbia is attempting to call upon the National Guard to help stem the violence in the streets, the Guard may well have contributed to the problem itself.

We also have with us Detective Michael Vaughn of the Los Angeles Police Department, as I mentioned, who has personal experience in dealing with the effect of military weapons which hit the streets of L.A.

Finally, we will hear from Lieutenant General Leon Salomon with the Army's response to the GAO report.

This report today is very narrowly focused. It is a GAO report we requested looking into gun parts, which we have had previous reports on, following on whether the situation had been corrected or not.

But I do not want anyone to think that we are focusing exclusively on gun parts here today because it is part of a much broader problem. There are larger weapons other than those going from a semi-automatic to an automatic weapon that may well be entering

the black market, being sold in the country, and being given to gangs or being acquired by gangs.

Even that becomes a smaller problem when you think beyond security items like gun parts, to other items like shoes, clothing, food, computers, typewriters and everything else that may be going out the door, too. If we are having that kind of a problem with something supposedly as secure as gun parts, then what is going on with all the other things that are on bases that people also can be stealing out?

I also want to find out more from General Salomon since this is our fourth report in just about 3 years, and yet we seem to be just repeating the same chapter and verse. You almost could just change the date-time stamp on the report and repeat the same one.

We have had a number of reports, and this Committee has looked into a number of the areas of waste and abuse and mis-handling of government equipment. We have seen programs like "20/20" and "60 Minutes" go into some of the warehouses and ask some very embarrassing questions.

This morning we are looking beyond gun parts, to the much bigger issue of what is going on with other material and why we are not in a position to really correct this.

With that, Senator Lieberman, do you have any comments?

#### OPENING STATEMENT OF SENATOR LIEBERMAN

Senator LIEBERMAN. Thank you, Mr. Chairman.

I want, very briefly, just to thank you and your staff for the extraordinary work that has been done in bringing this hearing together and to thank the folks at GAO for their characteristically high level of investigation and analysis.

This hearing brings together in a way that is hard to comprehend, really, two of our main concerns here in Congress this year, which are to ferret out waste in government and to make government function more efficiently on the one hand, and, on the other hand, to fight this outrageous wave of violent crime that is sweeping our country.

The thought that our ineffectiveness at managing assets of the Federal Government, in this case military assets, is contributing to the outbreak of violent crime which threatens our security is mind-boggling.

A lot of us have been saying in the debate on the crime bill, which hopefully will come to an end on the Senate floor today, that the American people face threats to their freedom and security today from criminals at home more than any that we face from foreign enemies abroad.

It is really disconcerting and a shame to think that inadequacy in overseeing some of these assets, these gun parts and other equipment, which are really the possession of the people of the United States is contributing to our violent crime problem. It is the taxpayers who bought this equipment, it is those who work in government who just manage or oversee their use, who are in that sense trustees for what is owned by others. The thought that the inadequacy of management systems on the part of the military is contributing to a loss of security here at home is very troubling indeed.

There are some allegations in the GAO report about security problems of the Connecticut National Guard in Hartford and Windsor Locks. I do want to say for the record that we have already had one outcry from the local authorities saying that there is another side to the story, and I will be glad to hear their case explained in more detail.

In hearings before this Committee, the Army has received the highest compliments, particularly from the GAO and Comptroller General Bowsher, in terms of its management overall. That makes it doubly troubling to hear the very serious direct allegations made in the GAO report.

I hope that this confrontation, such as it is, will lead to changes in behavior that will both save the taxpayers money and protect our citizenry from crime.

I look forward to the testimony, and again, Mr. Chairman, I thank you for your leadership here.

Chairman GLENN. Thank you very much, Senator Lieberman.

Chairman GLENN. Our first witness this morning is Donna Heivilin, Director, Defense Management and NASA Issues, General Accounting Office, and with her are Joan Hawkins, Assistant Director, and Donald Wheeler, Deputy Director, Office of Special Investigations.

Ms. Heivilin, we look for your testimony. Thank you for being here.

**TESTIMONY OF DONNA M. HEIVILIN, DIRECTOR, DEFENSE MANAGEMENT AND NASA ISSUES, GENERAL ACCOUNTING OFFICE; ACCOMPANIED BY JOAN HAWKINS, ASSISTANT DIRECTOR, AND DONALD WHEELER, DEPUTY DIRECTOR, OFFICE OF SPECIAL INVESTIGATIONS**

Ms. HEIVILIN. Mr. Chairman, members of the Committee, I am pleased to be here today to discuss our review of the Army's protection of small arms parts in active units and the National Guard. We are releasing the report today, and I am going to touch on some of the highlights in my statement.

We have issued numerous reports, as you have pointed out, in the past on various problems in protecting DOD's inventory. We have reported that many thefts and attempted thefts of small arms parts from the military supply system, including those for the military M16 rifle, have been discovered. The common thread in all of these thefts is that military personnel have been involved and the discovery of the thefts was accidental.

The review I am discussing today is the third we have conducted in a series on the protection of small arms parts. In 1990, we looked at the New York National Guard and we found that its internal controls and physical security over small arms parts was inadequate to prevent theft.

In July 1991, we reported on an examination of the small arms parts at four Army supply depots. We found large and consistent losses at the Red River Depot. At three of the four depots, we reported that the security was generally targeted toward theft by outsiders and not targeted toward employee theft.

During this most recent review, we helped uncover previously undetected thefts of small arms parts by National Guardsmen at

the Michigan Army National Guard, one of the six active Army and Army National Guard sites that we examined.

The Guardsman, who you will hear from later this morning, had been previously assigned to the repair parts section of the warehouse and admitted to us that he had stolen small arms parts for at least 5 years. After stealing the parts, he sold them to a national gun dealer who has been connected to the sale of small arms parts to the Branch Davidian religious sect in Waco, Texas.

The thefts had gone undetected for years because of inattentive management and the lack of basic checks on the ordering and handling of parts, that is, internal controls. The lack of controls at all six sites we examined invite theft.

As an indicator of the pervasiveness of these thefts is that military small arms parts are readily available to the public at gun shows across the U.S. Neither the manufacturers nor the government sells these parts to the public. Consequently, it is likely they were stolen from the military supply system or the manufacturer.

We visited gun shows in six States to determine the availability of military small arms parts. In all six States, we purchased small arms parts, some in government packaging, including the magazine clip in the picture that you have before you, and in five States we were able to buy some or all of the six small arms parts necessary to convert a semi-automatic civilian rifle, the AR15, to the equivalent of a fully automatic military M16. These parts are shown in a picture that we are going to put up here in a minute. They include the bolt carrier, the hammer, the trigger, the sear, the selector, and the disconnecter.

We bought military small arms parts at 13 of 15 gun shows that we attended. We brought some of the parts with us today so you can see them, and Senator Glenn, you have some parts. Maybe we can make other parts available to Senator Lieberman.

I also want to point out that we brought with us a round for the M16 today. It is a round that is armor-piercing. We bought this at one of the gun shows. We had a lot of trouble getting just one or two rounds. The gun dealer wanted to sell a thousand or thousands of rounds. They didn't want to sell one or two. When our GAO auditor was persistent and bought some of these other parts, then the gun dealer finally said, well, I will sell you one or two. I am going to pass this, too. You can tell that it is armor-piercing because of the green tip.

Chairman GLENN. Was this ammunition still in government containers? This wasn't manufactured—

Ms. HEIVILIN. It was in the green U.S. Army box with the NSN marking on it. We didn't buy a whole box, so we don't have that to show you. We were told that it was from the Saudi theater, fresh from the Saudi theater.

Also one of the things that I should comment to you on is that in buying that round, the display at the table had a metal plate there that showed that the round would cut cleanly through the metal plate, whereas the regular type of round would just damage the plate but it would not cut cleanly through. The plate was clearly there on display showing what this armor-piercing round would do.



Considering that there are thousands of nationwide gun shows annually, the ready availability of these parts is alarming. One of the other things I brought for you to look at is copies of "Shotgun News". These are November issues. You can see just how many shows there are, how many people there are that sell, and the parts that we bought are advertised in some of the advertisements. I think I have clipped the pages with those advertisements so you can see that they are still readily available.

I would like to turn now to the particular theft that we discovered at the Michigan National Guard. The thefts were discovered because we asked site officials to review requisitions for small arms parts. The site officials then became aware that some shops were ordering small arms parts that they were not authorized to use. Further investigation pointed to a Guardsman, who later admitted the theft. He recently plead guilty to charges of stealing government property. A second Michigan Guardsman who worked in the repair shop has also admitted to stealing small arms parts.

We have here a chart showing how the general flow of repair parts in DOD is set up. The supply depots that you see there are the depots such as Red River Depot, which was the system that we reported on in 1991. The first Guardsman was assigned to the warehouse at an installation and the second was assigned to the repair shop.

At Fort Campbell, Kentucky, one of the other sites in our study, the theft of about \$80,000 in government property, including small arms parts, was discovered only because the vehicle carrying the stolen property from Fort Campbell was stopped for a minor traffic violation by off-base police.

At all six sites we visited, basic checks to protect military small arms parts from theft were deficient in some form. For example, the thefts by the Michigan National Guardsmen remained hidden in part because key supply and repair duties were not separated, physical security was lax, and the computer system could be easily used to hide the theft.

In addition, management officials at this and other sites had not monitored supply and repair operations as they should have. They had not reviewed requisitions on a regular basis, and they did not ensure that the inventory was accounted for.

None of these problems were cited as material weaknesses in the Financial Integrity Act reports that we reviewed. At the Georgia Army National Guard, we found that the Financial Integrity Act reports lacked supporting review or check analysis. The fact that the Michigan Guardsmen could steal parts for over 5 years without detection also raises questions about the validity of these reports.

One of the major problems we found at five of the sites we examined was that key duties are not separated. The Michigan Guardsmen who stole small arms parts had access to the computer system that was used to order and track repair parts and physical access to the parts in the warehouse. As a result, he could initiate orders for parts in the computer and take the actual parts from the warehouse with ease.

Similarly, at the Georgia and Michigan guards, supply personnel assigned to the maintenance supply office had both record keeping and parts handling responsibilities.

Finally, at repair shops at Fort Benning, Campbell, and Sill, the same person who was inspecting weapons for needed repairs determined the parts that were needed and repaired the weapons. These situations invite theft.

Another problem we identified at five of the sites was that the reviews of requisitions for repair parts were lax and sometimes nonexistent. We could not tell about reviews at the sixth site, Fort Benning, because data wasn't available there.

Requisitions for small arms parts are not routinely reviewed to determine if the orders are authorized. We found that lower-level repair shops requisitioned small arms parts for repairs that they were not authorized to do.

At five sites where the data was available, some requisition for eight of the ten small arms parts that we tested were unauthorized. This indicates that parts are probably being stolen at all the sites we examined, since the Michigan Guardsman used this weakness to cover up his thefts. Some of the unauthorized requisitions were for three of the six parts needed to make a fully automatic weapon.

At all six sites, we found inventory controls were inadequate and sometimes nonexistent. In our review, we frequently found repair parts which were unaccounted for and inventory documentation that was incomplete. We found small arms parts in repair shops that were not authorized or on any parts list.

As a result of our visit, personnel at Fort Sill turned in as excess over \$37,000 in sensitive and high-dollar-value small arms parts that were not on any authorized parts list.

At the Connecticut Army National Guard, we found 46 machine gun barrels worth over \$38,000 that were not on any inventory records and had been stored for over 9 months.

Inventory documentation was incomplete at three sites. Inventory adjustments at the Michigan Guard were made without any review or approval at a higher level. The Georgia Guard could not find the inventory adjustment form for us, and the Connecticut Guard adjusted its inventory records before the higher-level review and approval took place.

Throughout our review, we found that physical security at the supply and repair operations we visited was, for the most part, inadequate to protect small arms parts and other government property. Deficiencies included poor controls over access to the facilities and improper security of small arms parts.

For example, employees at several sites were allowed to park their automobiles near open bay doors, fences had holes large enough for a person to crawl through, guards were not assigned to gates, and warehouse doors were usually left open and unattended.

We have a picture showing a gap in the perimeter fence gate at the Michigan National Guard. One night in early 1992, security personnel caught three people entering the site through the gap under this gate.

In addition, sensitive and pilferable items were frequently stored with other items or not properly secured. At Fort Campbell, for example, nine squad assault weapon barrels were outside the locked caged area where they should have been stored. At Fort Benning,

rifle barrels were stacked under an open window where they could be stolen by anyone walking outside the building.

We have a picture here that shows the maintenance supply area at the Michigan Guard where sensitive small arms parts are stored on the second floor behind a locked door. However, as our picture shows and I saw a couple of weeks ago, part of this area is open and can be reached by climbing on cabinets.

Finally, I want to discuss the fact that the Army's automated systems can be used to hide theft. There are serious vulnerabilities in the computer system used by the Michigan National Guard which enabled the Guardsman to steal parts. For example, he had complete access to the system and could issue sensitive commands reserved for the warehouse systems manager.

In addition, a flawed batch entry process at the site and inadequate system controls aided him in manipulating small arms parts orders. For example, he was able to order and receive parts and erase the record of this transaction in the computer. There were many other ways he could use the computer system to steal small arms parts. Officials at the Michigan Guard believe that such system vulnerabilities could lead to theft in any Army organization using this system.

In our report, we make recommendations to the Secretary of Defense and the Secretary of the Army. Basically, they cover changes needed in the computer system plus the need to enforce their regulations dealing with the financial integrity act, physical security, and internal checks and controls.

I would also like to emphasize the need for attention to the attitude. Even though the costs of the parts we are discussing today is not high, they can be used to create dangerous weapons. The people in these military organizations need to understand that this inventory is theirs to protect, not to take.

Before I conclude, I would like to thank the U.S. Attorney's Office of the Western District of Michigan and the FBI in the Detroit Division for their cooperation with our Office of Special Investigation agents and our evaluators. They made this work possible.

Also, I want to point out that locally, the Army and the Army National Guard units we examined have taken actions on some of the physical security problems that we found.

Mr. Chairman, this concludes my statement. I welcome any questions you or members of the Committee may have.

Chairman GLENN. Thank you very much. We appreciate your testimony.

I would like to ask first, how did you select these sites? Were there some indications of problems at these sites, or were these sites selected at random?

Ms. HEIVILIN. We had a hypothesis going in that if there were high support costs for the amount of weapons that were at a site, that if that was the case and there were other vulnerabilities, then there was opportunity for theft. However, we didn't select just sites that looked like that. We tried to select sites based on a geographical dispersion. We actually selected some sites where there were low support costs to make sure that there wasn't a difference, and we selected Army units that had different missions. We selected

Fort Sill because it was artillery, Fort Benning because of training, and Fort Campbell because it was infantry support.

Chairman GLENN. Some of the bases were regular Army bases and some were National Guard or reserve bases, right?

Ms. HEIVILIN. Right, three of each, regular Army and National Guard.

Chairman GLENN. Was there a major difference between those that were regular active duty bases as opposed to National Guard?

Ms. HEIVILIN. No, there wasn't. We found the same vulnerabilities in all of the sites we looked at. There is some variation among every site, but we saw enough vulnerabilities to make us very concerned every place we went.

Chairman GLENN. Your investigation was strictly limited to gun parts? Some of the testimony later will show a huge rise in ordering of C and D cell batteries, for instance, just before the holidays, with testimony that many of these batteries wind up in kids' toys during the holiday season. That could be what the testimony will be a little bit later on.

Did you look into things like that?

Ms. HEIVILIN. No, we didn't. This kind of investigation takes a lot of time on the part of auditors. It is a very labor-intensive investigation. We selected the small arms parts that you could use to convert to automatic weapons because we thought if there was anything you would want to protect and control, those kinds of parts are the ones that you would want to make sure weren't out on the street.

Chairman GLENN. I agree with that, and I would think these would be among the things that would be more protected. I think the other things, I don't know what kind of loss of materiel we can expect when we get into these other areas, but it must be enormous if the security areas like weapons parts are stolen as they apparently are.

Ms. HEIVILIN. We have looked before this particular study on the overall opportunity for theft, and we do think overall there are weaknesses and opportunity for theft of all the property.

Chairman GLENN. We have had hearings on that before here, too, and we got into all sorts of things. Over the past, I suppose, 3 years or so, I must have personally conducted 35 or 40 hearings on different things in the military, not all Army, but different military areas of waste.

I think sometimes maybe our people over in the Pentagon turn over too rapidly. I used to think that was not the case. I used to think we ought to rotate as many people through so we got some experience over there, but I sometimes think now they are not there long enough.

Here we are with four reports in 3 years and very little, if anything, having been done about it. You are just hitting the tip of the iceberg here, on gun parts, and I am sure we are going to want to look into some of these other areas a little bit later on. People sometimes come in over there and they put in their time there and they can say: "It didn't happen on their watch".

Somebody new comes in and they are not as cognizant of what the testimony over here has been or what has been found before,



so it sort of passes from one person to another without the situation really being corrected. I don't know what we do about that, but I think that is one of our problems.

In your testimony, you mention the incomplete inventory documentation you found at all six sites. I would think that would be key, because unless you have an inventory showing what is supposed to be there, what the need is, what the inventory is, you have difficulty in tracking down what is missing, is that correct?

Ms. HEIVILIN. I think that it does a number of things. It invites theft because the people working with the inventory know that no one knows exactly how much they have and so it won't be missed. Also, if you have a lot of inventory but you don't know you have a lot of inventory, you are likely to order more inventory, which creates some of the excesses that we have different places.

Also, one of the things we have seen is that when policemen stop people that have stolen inventory at their cars, then they have trouble documenting that back in the base from which the inventory was stolen. The policemen might go back to the base and say, hey, we have apprehended this person and they had property that looks like its yours, and then the particular base can't verify that it was theirs because their inventory records aren't very good.

Chairman GLENN. You have personally been involved, I believe, with several of these investigations in the past over several years, is that correct?

Ms. HEIVILIN. Yes, I have. I have been involved in all of the ones that we have talked about today, the New York National Guard, the one in which we looked at the wholesale system and our job on overall theft.

Chairman GLENN. Going back to 1990, or before that?

Ms. HEIVILIN. Right.

Chairman GLENN. Nineteen-ninety?

Ms. HEIVILIN. Right.

Chairman GLENN. In what you have seen recently, have you seen any improvement in inventory control or security of equipment, or has it gone along just about the same as what you ran into 3 years ago?

Ms. HEIVILIN. I can't say I haven't seen any improvements. Where we have pointed out particular physical security vulnerabilities at a particular site, usually the commander will then fix that particular thing that we point out. But that makes me kind of worried, because we can't be everywhere and we can't be pointing out everything.

Chairman GLENN. I have just one other thing, too. You didn't address foreign sales. Some of these gun parts or guns of a type like this, M16s and so on, we have sold literally millions of all over the world. Is there any indication that some of these parts are coming back in from non-U.S. sources?

Ms. HEIVILIN. We have not seen any indication of that. That doesn't mean it is not happening, but we are not aware that that is what is happening.

Chairman GLENN. You weren't specifically looking for stolen ammunition or following that lead up on this, were you? You were looking mainly at gun parts?

Ms. HEIVILIN. We were looking mainly at gun parts. It was just that our GAO auditor saw so much ammunition and saw ammunition for the M16 in government wrappings and government containers and decided to buy some of it.

Chairman GLENN. And they wanted to sell you—

Ms. HEIVILIN. He said that it was at many of the tables, and there were thousands of rounds.

Chairman GLENN. And they wanted to sell you cases of ammunition instead of singles?

Ms. HEIVILIN. Right.

Chairman GLENN. Thank you. My time is up on this round.

Senator Lieberman?

Senator LIEBERMAN. Thank you, Mr. Chairman.

Ms. Heivilin, most of the cases of theft that you describe involve Army or National Guard personnel as opposed to civilians. I want to clarify whether you see this as largely an internal problem of theft or whether there is also a problem because of some of the carelessness that the report portrays of civilians coming on base to steal parts.

Ms. HEIVILIN. I think there are both civilians and military personnel involved. In the cases that we know about, both are involved. But it is a threat, in our eyes, of internal security because the thefts are employees.

Senator LIEBERMAN. In other words, even the civilians are employees?

Ms. HEIVILIN. Right. They aren't from outside of the base. Sometimes a person who is a civilian employee from another part of the base might get involved with someone who is working in the supply system, but they are employees of the base in the cases we have seen.

Senator LIEBERMAN. So it is the rare case, at least in your investigation, where thieves totally unassociated with the military facility break in and steal parts because of the laxity of security there.

Ms. HEIVILIN. That is right. We don't see much of that. It does happen and there are some incidences, but we think the major vulnerability is inside.

Senator LIEBERMAN. OK. There is a suggestion here, and one of the later witnesses may be in a position to answer it, but I am curious about your response to it. We are confronting in street crime today this extraordinary spread and organization of gangs operating like the classic organized crime families, even worse in many ways.

My question is whether you find any indication of either gang members working at military facilities, either in uniform or as civilians, or of gangs attempting to create contacts with military or civilian employees of the government in pursuit of acquiring gun parts or other weapons.

Ms. HEIVILIN. We haven't seen any evidence of that.

Senator LIEBERMAN. You describe a National Guard study which concluded that there was no widespread problem with theft of parts. Did you ascertain the basis for that conclusion?

Ms. HAWKINS. That was just a study where when the theft in Michigan was identified, they sent a memo around to their National Guard sites and said we would like you to look at this and

see if there is a problem. The answer came back, we don't have any problem. But it was not a detailed study, it was responses to a memo.

Senator LIEBERMAN. I see. Maybe you can clarify the reference, then, on page 37 of the report about the National Guard bureau destroying some documents that were part of a review. I am not clear.

Ms. HAWKINS. That was when they got the responses to this memo that they sent. When the responses came back after they looked at it and said there is no problem, they threw away the responses.

Senator LIEBERMAN. So you were not concerned about that document destruction?

Ms. HAWKINS. We would have liked to have seen those documents. However, once they were destroyed, there wasn't much we could do about it.

Senator LIEBERMAN. Right.

Ms. HEIVILIN. We would have liked to have seen the actual responses from the various Guards, but they didn't have them.

Senator LIEBERMAN. But you didn't conclude that there was any reason to suspect the report, or were you not in a position to conclude either way?

Ms. HEIVILIN. We are not in a position to conclude either way.

Senator LIEBERMAN. Generally, you have described a kind of climate that—and I don't mean to put words into your mouth or into the report, but my reading of it suggests that there is failure at the leadership level here to create an environment that is intolerant of theft.

Is that a fair description, and could you just talk about it a little bit more?

Ms. HEIVILIN. I think it is more that they don't believe that they have much theft, or in the past they have not believed that there was much theft.

Senator LIEBERMAN. That the Army and National Guard leadership doesn't believe there is a serious problem?

Ms. HEIVILIN. And when I say that, I am talking DOD-wide.

Senator LIEBERMAN. Right.

Ms. HEIVILIN. When we have published reports on theft, the responses that we have gotten back from DOD is that GAO has overstated the problem, that we don't understand, that the theft is really very small, it is not significant, it is not a problem worth the kind of effort that we are suggesting that they should apply to it.

Senator LIEBERMAN. Clearly, you would say that your findings generally—I must say that I am impressed by the fact that at each one of the gun shows you went to you found what you took to be real U.S. military parts. I take it the shows that you went to were randomly selected, there was no particular reason why they should have been more likely—

Ms. HEIVILIN. We simply selected them because they were available during the time frame that we were going to gun shows. We tried to go to gun shows geographically across the United States.

We also had the Army's experts at Rock Island, Illinois, look at the parts that we bought. Some of the parts we bought weren't military, but most of what we bought, we thought were military or

was represented to us as military, and the expert at Rock Island Arsenal said yes, they were military. To verify the parts as military, he looked at the markings and he looked at the particular parts.

Senator LIEBERMAN. To just echo the Chairman, it does seem to me that this report really cries out for some response from the Pentagon. If, in fact, as you describe it, there is a sincere, but according to your own conclusions, misinformed opinion that theft of military parts is not a problem, it seems to me after your report the burden is certainly on the Pentagon to justify that conclusion, or their conclusion that it is not a problem, or to take aggressive action to stop the problem.

Ms. HEIVILIN. Can I take a minute and point out, one of the problems in trying to stop this kind of theft is because there are thousands of places it can occur. The Army has the kind of units that we are talking about at thousands of locations across the world and across the United States. Also, often the stolen amounts are small, and the value, the absolute value, is very, very small.

The DOD has just a finite number of investigators, and when they respond to us about this theft they say it isn't a major problem because the losses that are documented in criminal investigations are relatively small. Well, they are small because these things don't cost much. They are also small because it is usually a small amount taken over a long period of time, not like the huge amount that you would get if you had contract fraud or procurement fraud. So it takes a lot more effort to find and it is a lot harder to document and a lot harder to prosecute.

Senator LIEBERMAN. That is a good point, but obviously it all adds up cumulatively, and even if it doesn't add up cumulatively, if this theft is ending up in the hands of street criminals, then it is having a disastrous effect on people.

Ms. HEIVILIN. I think that is all the more reason that you need to work on the attitudes, since it is very hard to prevent all of the stealing that could take place in so many places, then the attitude towards it is probably your first line of defense.

Senator LIEBERMAN. Thank you.

Thank you, Mr. Chairman.

Chairman GLENN. Senator Bennett?

Senator BENNETT. Thank you, Mr. Chairman.

I don't have any earth-shattering questions for the witness. I am impressed by her testimony. I do have an observation coming out of my background in the business world. If you were in retailing, we would call this shrinkage, and virtually every retailer knows that shrinkage is a problem and that more shoplifting occurs from employees than it does from customers.

So every retailer sets about to put into place some kind of controls to prevent it, not because the amount of money is that large, although in some circumstances it can be, but because of the corrosive culture that it creates among the employees if this is allowed to go on.

I think in response to your question to Senator Lieberman, the Pentagon should be made to understand that this corrosive culture is worth a lot of money, not just in this circumstance but all across the board, in the way employees of the Pentagon, employees of the



defense establishment respond to their jobs and their responsibilities.

If you get into this kind of a culture, this means you go home a half-hour early every day, and then pretty soon you are taking 45 minutes extra for lunch. Nobody cares. It is not a big amount of money. The overall impact of this on the efficiency and effectiveness of an organization is very serious, and every management expert who has ever studied it knows that.

That is why retailers go to such effort to stop shrinkage, regardless of the amount of money involved in the sweater that is taken home or the bra that is stolen or the pair of kids' shoes that disappear. It is the other thing that is far more important than the value of the goods.

So I would hope out of this hearing we could send a very strong message that says we are not interested in a clear dollar and cent accounting of the monetary value of this part or that part, but we are very interested in the corrosive nature of the culture that says you can steal at random.

This is a pervasive problem. It exists every place where people are employed. I once worked for Howard Hughes in the days when he owned the casinos, and there our inventory was cash. You can understand that we took shrinkage very seriously in dealing with gambling casinos. And once again, it was not just the cash, it was the mindset of our employees that said, when you work here, you don't steal. You don't steal time, you don't steal cash, you don't steal any kind of thing, except in the hotels we did encourage the customers to steal the ash trays because they were advertising and they would take them home and show them off to their friends.

But we are not talking about ash trays here. We are talking about assault weapons that could get on the street, and I simply wanted to make this statement, Mr. Chairman, so that no one in the Pentagon would misunderstand if they are addressing the issue of the value of the things in the way you described. We are talking about a culture that is very important, and every other management organization in the country in business understands the link between this kind of theft and the culture, and the Pentagon ought to understand it, too.

Thank you, Mr. Chairman.

Chairman GLENN. Thank you very much.

Senator Akaka?

Senator AKAKA. Thank you very much, Mr. Chairman.

I am delighted to hear my colleague, Senator Bennett, talk about the corrosive culture that is so important and basic to this issue. By your testimony, Ms. Heivilin, you have indicated that lax control, laxity in property inventory, and the lack of basic checks contributes to this. Also, you know that parts are missing and you know that it is an inside job.

Knowing all of this, you have come across with some recommendations. What has happened to these recommendations?

Ms. HEIVILIN. For the recommendations for the current report, DOD hasn't had time to do anything yet except at the particular units we were at, when we pointed out physical security things or we pointed out parts that weren't under control, those things were taken care of usually.

The Pentagon has started, though, to look at the computer system. They have sent some of their people over to talk to our computer expert and that conversation will continue to evolve. We are committed to helping them. We have also offered, and they have said they are going to take us up on, having our auditors sit down and talk to them about everything we saw. Obviously, we don't get everything into a report. We have stacks and stacks of work papers that have a lot more detail than what we put in the report.

But going back to the report we did on the New York National Guard, there we made some recommendations in 1990. There are changes that still have not come out but are supposed to come out next month in a regulation. It seems to take an awful long time for that kind of thing to happen. Also, they aren't changing everything exactly the way we think they should. They are putting more strength in separating duties, but they talk about separation of duties between repair and supply. They are not separating duties within supply and within repair, which is where we saw the problem and where we saw the stealing going on at the Michigan National Guard.

Also, the implementation problem just continues. There are thousands of units, and you have to make sure that they all know about it and they all do it. That is a big management situation and a big management problem. It is going to take a lot of time and attention.

Senator AKAKA. I think you put the finger on it. What I was going to ask, and you probably are doing it, is for the military and for the Army to put emphasis on a program to prevent pilfering so that employees or people that belong understand that this is not what is accepted.

Ms. HEIVILIN. It is their responsibility to protect it.

Senator AKAKA. Maybe that might help the cause. You have certainly done well in identifying the problem and even recommending what should be done. I just hope that you can move swiftly on this with a good program to prevent pilfering.

Chairman GLENN. Thank you.

Senator Cohen?

Senator COHEN. Thank you, Mr. Chairman.

I have an opening statement I would like to submit for the record.

Chairman GLENN. Without objection, it will be included in the record in its entirety.

#### PREPARED STATEMENT OF SENATOR COHEN

Mr. Chairman, I commend you for holding this hearing on the very serious problem of the susceptibility of the Department of Defense inventory, and specifically gun parts, to theft. As the Chairman well knows, this is not a new issue. For years the Department of Defense has had systemic problems in the security of its inventories. The General Accounting Office (GAO) has issued a number of reports uncovering thefts and attempted thefts of small arms parts from the military supply system. Everything from gun parts to batteries has been stolen for monetary gain and private use. As a result, government property has turned up in the hands of our Nation's criminals and in the Christmas toys of the children of the unscrupulous individuals who stole these supplies.

I am very concerned by the fact that we have heard before about a number of the very same problems we are going to discuss today. In fact, the Army's failure to address the problems outlined in earlier reports have contributed to the ease by which these subsequent thefts were committed. Time and time again the Army has

not taken the necessary steps to put an end to this abuse. In view of GAO's earlier findings, I find it inexcusable that the former member of the Michigan Army National Guard who will be testifying today was able to steal from the Federal Government for some 5 years before the thefts were detected. This individual stole parts from the Federal Government and sold them to a national gun dealer in Illinois who has been connected to the sale of small arms parts to the Branch Davidian religious sect in Waco, Texas. It is particularly disturbing to think that the very weapons used to kill Federal agents may have been supplied by the government itself.

We will hear today how these parts are ending up in the hands of our Nation's criminals. For nearly a month, the Congress has been working to address our Nation's very serious crime problem; yet, lax military controls are already at work undermining this important legislation.

Military small arms parts are being sold at gun shows across the Nation. In five of six States GAO visited, GAO was able to buy some or all of the parts necessary to convert a semiautomatic civilian rifle to the equivalent of a fully automatic military M16. DOD's regulation on the disposal of property states that "small arms, weapons and parts are not authorized for sale to the general public except as scrap after necessary demilitarization is completed." Yet, these parts are readily available to the public at gun shows throughout the country. In some cases these parts were still in government packaging which included their stock number.

The GAO report being released today certainly paints a disturbing picture: one in which Army facilities have lax physical security, inadequate internal controls, ineffective inventory accounting mechanisms, poor supervision of employees, and a lack of basic checks on the ordering and handling of parts—a situation which invites theft of government property for personal gain. Although GAO's report looks only at a number of Army installations, I remain very concerned about the degree to which similar situations may be occurring at other Army facilities throughout the country and within other branches of the military.

Earlier this week, I participated in a hearing on the growing problem of criminal aliens in this country. Large numbers of criminal aliens do not have their deportation proceedings completed before they complete their prison sentence and as a result, are released back into our society. Once out on the street, these criminals are often notified by mail that they are going to be deported and they are given 72 hours to report to the INS for deportation. I am sure it comes as no surprise to anyone in this room that large numbers of these individuals don't show up for their deportation. In short, the INS is running an honor system policy for convicted criminal aliens—a policy which invites abuse. These criminal aliens are given an opportunity to run and we should not be surprised that they often take it.

The situation being described today by GAO and the former member of the Michigan Army National Guard presents a similar situation. The physical security at many of these facilities is inadequate to prevent theft. Fences with holes large enough for a person to crawl through, unguarded gates, and warehouse doors that are often left open and unattended are just a few of the security breaches GAO discovered. At Fort Benning, for example, rifle barrels were stacked under an open window inviting anyone walking by to steal them. Here again, we seem to be creating a situation which invites abuse and, in this case, theft. Employees are presented with opportunities to steal and, as we have seen, they are taking it. In addition, there do not appear to be adequate controls or safeguards to prevent these thefts from occurring. In a situation at Fort Campbell, Kentucky, about \$80,000 worth of government property, including small arms parts, was discovered as it was being stolen only because the vehicle was stopped for a minor traffic violation by off-base police.

Mr. Chairman, the specific problems at the Army installations and the ways that employees have been stealing government property are too numerous to go into further in this opening statement. Let me just say that the Federal Government has a responsibility to do better and it must do better. We must prevent theft of government property and the use of military weapons to commit crimes. While I am aware that the Army has made some changes in an effort to begin to correct this situation, it is clear that it has not done enough. If the Army is unwilling or unable to address these very serious problems, then I stand ready to assist you, Mr. Chairman, in implementing changes so that we are not called back here in another 2 or 3 years to hear stories similar to the ones we are going to hear today.

Senator COHEN. I will offer a couple of comments and questions.

I take it very little follow up has been done since the initial GAO report and its recommendations were issued back in 1990. We have basically the same situation today that we had in 1990?

Ms. HEIVILIN. Yes, we do.

Senator COHEN. I think you expressed it in terms of an attitudinal problem.

Mr. Chairman, this is more than a few thousand bullets or a few thousand batteries making their way out into the civilian circulation. As Senator Bennett has said, we are talking about parts for assault weapons as well. It has to do with more than simply leakage or shrinkage, it has to do now with national security, because, I expect, this is not confined to the National Guard alone.

Do individuals have a different mindset within the National Guard as opposed to being in the military full time. We have civilians moving from civilian life into soldiering and back out into civilian life again.

Ms. HEIVILIN. We didn't see any difference.

Senator COHEN. You saw no difference? The reason I ask this question is I noticed in today's *Washington Post*, page A3, a very significant headline, "Justice Department Urges Pentagon Not to Purchase Cop-Killer Bullets". We have the Attorney General of the United States calling upon the Secretary of Defense not to purchase armor-purchasing bullets for nine-millimeter handguns because of the fear that these particular armor-piercing bullets will be used to kill policemen who are wearing armor-protective vests.

This is more than just a few thousand bullets getting out into the mainstream of commercial life. We are talking now about civilian agencies asking the defense agencies not to purchase the kind of weaponry or ammunition that may be necessary to save our soldiers' lives. We are setting up a dynamic, or a conflict, between the needs for a national security protecting our soldiers' lives—and protecting our civilian lives.

This is not something that can be easily dismissed. It is very serious. The fear is we have lost control.

Earlier this week, I participated in a set of hearings dealing with the Immigration and Naturalization Service. We have, as I recall, something like 450,000 criminal aliens in the country, and we don't know where they are. We don't even know who they are. We have a situation in which those who are illegally in this country have committed crimes, been sent to prison to complete their sentences, are released, and they are often given a notice by mail that they have 72 hours to get their affairs in order before they are deported.

Does it come as any surprise that most of them never show up? Last year in New York alone, 87.7 percent of those ordered to be deported did not show up for their deportation. We don't know who they are as they use aliases or different social security numbers. We lack the technology, the internal controls and the personnel to locate them. The problem is not identical to what we have here, but both represent dysfunctional systems.

Now it may be that the Army personnel who have come to testify will dispute the GAO's findings. It may be that the situation is being magnified beyond the nature of the problem. I think you would agree that we can expect some leakage or shrinkage no matter how many controls are put into effect. That is the nature of human beings. There will be some pilfering.

But the question is, can we hold it down to a bare minimum, and what changes are necessary, and at what expense, to prevent the



kind of hemorrhaging that appears to be the case here. Or, at a minimum, how can we limit the opportunity for hemorrhaging. When I look at some of the photographs or read the testimony of how easy it is to steal certain items, it calls into question whether or not we have to have a change in attitude.

It is not a matter of small change or small potatoes. It is not just a few thousand bullets floating around ending up in Waco, Texas. I believe it is far more serious, because now it has extended to our Justice Department calling upon the Defense Department not to purchase a type of bullet that can, in fact, save the lives of our servicemen and women but also kill our police officers on the streets. That is how serious the problem has become.

Chairman GLENN. Thank you. You raise a good point. I hadn't seen that report in the paper this morning, Senator Cohen, but that is very interesting. Apparently they either don't want them to be manufactured at all or they feel there is going to be so much leakage of ammunition out of the Defense Department that it is going to be a factor in our national crime. It is a tragedy when we get to that point.

I have just a couple of additional questions. First, where in the system is the main loss? Is it the warehouse, the depot, or the local repair shop where the weapons are actually being repaired?

Ms. HEIVILIN. We can't tell that, because it isn't possible to do the kind of job that would identify that. You would have to—

Chairman GLENN. Are the records complete enough that you could even do that?

Ms. HEIVILIN. Probably not. We certainly do know how many adjustments there are in inventory, and in the past, when we have looked at something in a particular maintenance depot, for instance, we have seen up to 18 percent inventory unaccounted for.

Chairman GLENN. Eighteen percent?

Ms. HEIVILIN. Yes.

Chairman GLENN. In gun parts?

Ms. HEIVILIN. No, I am talking about all inventory.

Chairman GLENN. All inventory, 18 percent.

Ms. HEIVILIN. Yes. But we don't know the answer to your question.

Chairman GLENN. All right. I gather you have not tried to extrapolate the results of this investigation and multiply it by the number of centers and repair places all over the country. You didn't try to do that, did you?

Ms. HEIVILIN. I don't know how to do that. This isn't the kind of study for which you can draw a statistical sample and generalize.

Chairman GLENN. Is it your opinion that the same or greater levels of theft probably occur with regard to other items, for anything that is useful or saleable, such as the batteries that we will have testimony on later? I was impressed with that. I think the statement in one of the copies of advance testimony received said something about \$25,000 worth of C and D batteries just happened to be ordered in November just to meet the Christmas holiday season when all the kids' toys need batteries and so on.

I don't know whether that is a valid assumption or not, but—

Ms. HEIVILIN. I would guess that the same amount of theft is going on in every area.

Chairman GLENN. OK. Do you happen to know whether any of these bases use a gate check procedure? When I was in the military, and I was in for quite a while in the Marine Corps, 23 years, occasionally they would have gate checks back in those days. You just took at random, you took every third or fifth car and pulled it over when people were leaving the base. That car got a good going over. If there was anything that was government equipment in that car, you were in deep trouble. That seemed to keep things pretty well under control, because people who had things in the trunk or in the car were dealt with very harshly.

Did any of these bases have that kind of a check procedure, so far as you know?

Ms. HEIVILIN. None of them had what you are talking about, where they would stop random cars and they would open up the trunks and look at them. Generally, that doesn't happen on most of the bases. I know it does happen on some of the bases. When we examined Red River and we saw all of the problems there, they weren't doing gate checks at that time. When we asked them about it they said that it would be difficult, it would be hard on the employee morale. We pointed out that they could pull the cars over and not cause a line to form, and they did start doing that.

Chairman GLENN. Employee morale, my foot.

Ms. HEIVILIN. That is the answer we also get about—

Chairman GLENN. I wouldn't worry necessarily about employee morale. I am trying to worry about the taxpayers here, too.

Ms. HEIVILIN. We get the same answer when we point out that cars shouldn't be parked up against the warehouses. They say it would cause employee morale problems if employees had to walk several blocks.

Chairman GLENN. In these random searches, I have been pulled over at the main gate and my car gone through just like everybody else. It hurt my morale, too, but it also helped cut down on waste coming out of the base—not that I had any in my car, understand. [Laughter.]

Ms. HEIVILIN. I do know that it happens at some bases, but it didn't at the ones that we were looking at.

Chairman GLENN. OK, thank you.

Senator Cohen, do you have any other questions?

Senator COHEN. Is that part of your recommendations, that we include that?

Ms. HEIVILIN. Part of our recommendations is that they make sure that their security regulations are implemented, and the security regulations say that there should be spot checks at the gate.

Senator COHEN. Thank you.

Chairman GLENN. Thank you very much. I appreciate it. We may have additional questions for you. We would appreciate a prompt response to any additional questions so we can include them in the record.

Again, we appreciate your being here. I am sorry that we are revisiting this for the fourth time now in just your own reporting on this particular issue.

Chairman GLENN. We have two people on our second panel, Mark Carter, a former Michigan National Guard member, and Detective Michael Vaughn, Gang Supervisor, Los Angeles Police Department.

Mr. Carter, if you would lead off, we would appreciate it. Please give us your experience as a Michigan National Guard member. You were involved with this yourself, I believe, and were apprehended doing some of the things that GAO found. You are awaiting sentencing now, I believe, so you have had some personal experience with this.

### **TESTIMONY OF MARK S. CARTER, FORMER MICHIGAN NATIONAL GUARD MEMBER**

Mr. CARTER. Yes sir. Mr. Chairman and Members of the Committee, thank you for inviting me here today to testify about the security of small arms parts in the Michigan National Guard.

Chairman GLENN. Pull those mikes up real close if you can so everybody can hear, or speak a little more loudly there if you would, please.

Mr. CARTER. I was a member of the Michigan National Guard from August 1982 until April 1992, for almost 10 years. I spent many of those years as stock control supervisor for class nine repair parts. Those are the parts used to repair vehicles, weapons, and aircraft, such as bolts, barrels, and batteries.

I was responsible for the input and output of the computer system which kept track of all inventory in the warehouse of those parts, and I reconciled the records of the two computer systems to each other. I kept the data flowing and supervised the office staff which processed all requisition orders for those parts. This included handling of all requisitions for 126 Guard units in the State.

There were ten employees in the chain of command, including the chief warrant officer, who was our OIC, officer in charge. There were approximately four people who worked under me.

Around 1987, I started to experience severe financial difficulty. My house was foreclosed on. Around that same time, I decided I wanted to build a rifle for my own use, but I didn't have all the parts. I happened to go to a gun show and I didn't have the money to buy the parts I needed, but I had extra parts at home which I had taken from the National Guard. I took those extra parts to the show and sold them to purchase the parts I needed to put my rifle together.

Once my rifle was done, I realized I could sell the rifle and make a profit or I could sell the parts I was taking from the base. I started to do both of these things.

I got the parts very easily. I had complete access to the computer system and there was no one checking on what I did or what our actual inventory or invoices were. So I created false requisitions, filled them, and took the parts. The requisitions and inventory were only reconciled quarterly. On a monthly basis, there was supposed to be a reconciliation by sending a statement to the customer, that is the individual unit, yet the customers were not required to respond and a request on one statement would not appear on the next statement. So if the customer didn't keep the

records, match them to their request, and notify us, they would never know if there was a discrepancy.

I also was able to get parts from turn-ins by direct support units. Those units would turn over overstocked small arms parts and not request any receipt. I could then just walk away with them or I could give them a receipt and throw the original in the trash.

There were also times when the depot sent more items than were ordered. For example, the depot might send 120 bolts where only 100 were ordered. Since there was no reconciliation between our office and the depot, I could just take the difference and change our record. I could also indicate the shipment was short when it wasn't and take the difference.

The even easier part was taking the parts home. Physical security on the base was a joke. They knew me, so I was never stopped. There were never any kinds of checks on us. I just drove home with whatever I wanted.

At this point, I want to say something about the atmosphere at the base with regard to security. I am not saying this to excuse myself, because what I did was wrong, but I think it is important for you to know that everyone there was either taking supplies or knew about it. I don't just mean small arms parts, although there was a tremendous amount of theft there, but also any parts that could be used privately.

For example, we shipped \$25,000 worth of C and D cell batteries in 1 year, with the bulk going in November and December. I know of a lot of kids whose Christmas toys had military batteries running them.

There were also some guys I know of who started a race car team with Army supplies. They got their tires, windshield wiper fluid, and oil courtesy of the government. It was just not unusual for people to do stuff like that. The attitude was like kids in a candy store who could get anything they wanted.

I also know of one guy who wrote a computer software program that would allow him to send us a diskette and listing where the total number of requests on the diskette would match but the requests on the diskettes were different in stock number and in quantity from the listing. When the diskette was processed, it was erased, wiped clean, destroying the evidence.

We were audited two times in the 10 years I was in the Guard. The first time was around 1984. It was an in-house auditor, and we all covered for each other and got a clean bill of health.

The second time was more recently, in 1991 or 1992, and the auditor was from the Guard Bureau. He came in, chatted, and asked for a list of items to look at, so we gave him a list and he checked our paper against the inventory in the warehouse, and of course it matched.

In my 10 years with the Michigan National Guard, there was never any serious attempt to look at our accounting system or our records. When GAO came in, that was the first time anyone really looked at what we were doing.

You might want to know what was happening to the parts that were stolen by people like me. There is a black market network



across the country which buys stolen small arms parts from different National Guard units, then they sell the stolen parts at gun shows and through gun magazines and newspapers.

That concludes my prepared statement. Again, thank you, Senator Glenn, for the opportunity to testify. I want to apologize to you and to the Michigan National Guard for my illegal activities. I hope that my testimony here today will be of some help to you in stopping other people from being able to do what I did. I would be happy to answer any questions you might have.

Chairman GLENN. Thank you very much, Mr. Carter. I appreciate your testimony.

Before we get to questions, we will hear from Detective Michael Vaughn, who is in the gang supervision or investigation department, I guess, gang supervisor might not be quite the right title. Is that your title?

Mr. VAUGHN. Pretty close, sir.

Chairman GLENN. You are a gang investigation supervisor, from the Los Angeles Police Department.

Detective Vaughn, we are glad to have you with us and look forward to your testimony.

#### **TESTIMONY OF DETECTIVE MICHAEL V. VAUGHN, GANG SUPERVISOR, LOS ANGELES POLICE DEPARTMENT**

Mr. VAUGHN. Thank you, sir. Mr. Chairman, members of the Committee, it is a pleasure to be here today to discuss the issue of parts stolen from active and reserve military installations.

I have been a Los Angeles police officer for over 25 years. I began investigating street gangs in 1971. In 1978, I accepted the additional assignment of investigating outlaw motorcycle gangs, and in 1983, another additional assignment of investigating prison gangs.

Currently, I am a detective supervisor in the gang information section. I am currently the department's expert on prison, street gangs, and outlaw motorcycle gangs. I have qualified in Federal, superior, municipal, and civil courts as an expert and have given expert testimony to Federal and county grand juries in Los Angeles.

I have written a department training pamphlet and co-written manuals for other agencies, and I have read training manuals for foreign, Federal, State, and local law enforcement agencies relating to gang investigations.

I am the principal trainer for the department and have trained numerous foreign, State, Federal, and local law enforcement officers, as well as being instructor for the Los Angeles Police Academy, the Los Angeles County Sheriff's Academy, State and community colleges, and other training seminars.

Being a member of five investigative associations, I am regarded as an authority amongst my peers.

Additionally, having over 26 years of service with the Army National Guard, I retired in 1990 at the rank of Command Sergeant Major. Being a Vietnam veteran, I have served in a variety of assignments, including the scouts, military police, as well as the mechanized infantry. My last assignment was the post command sergeant major at the Armed Forces Reserve Center in Los Alamitos, California.

My testimony this morning evolves around military weapons, explosives, ammunition, and parts that make their way from military installations into the hands of the criminals on the streets of our cities.

There are no hard statistics readily available to me to present to you this morning. However, I can say that law enforcement encounters with military munitions and weaponry are all too frequent and routinely included in our training programs.

The past 22 years investigating gangs has produced thousands of investigations, countless arrests, and an innumerable amount of hours on surveillance. I have authored in excess of 100 search warrants and participated in, planned, and served many others.

My investigations have led to the recovery of military weapons, explosives and ammunition, and spare parts as well as other military hardware. Heavy machine guns, rocket launchers, automatic rifles, semi-automatic pistols, grenades, detonation cord, plastic explosives, land mines, Claymore mines, ammunition, and spare parts are just a few examples of what has been recovered in our cities at the hands of the criminal elements of our society.

It has been my experience that the military hardware on our streets is used as a commodity. These weapons or parts are traded for narcotics, which are in turn sold on the streets at a profit. In other cases, the theft and sale of these items is an industry into itself, with criminals who specialize in military hardware. In still other cases, they become available at a premium price to gang members for use in their criminal endeavors, rival gang warfare, or in some cases against police and government agencies.

All too often, white supremacists, survivalists, organized criminal organizations, subversive groups, and gang members have stock-piled military hardware that surpasses anything available to local, State, and Federal law enforcement agencies. We recover grenades, explosive, and booby traps that are in themselves a danger by their mere existence. Automatic weapons and heavy machine guns either have no history or have been reported destroyed by the military have also been discovered.

Military explosives, heavy weapons, grenades, rocket launchers, mortars, and automatic weapons have no legitimate use in our society and pose a threat to law enforcement and citizens alike.

We recently monitored a gun show where enough parts can be purchased to assemble the M16 automatic rifle and the Colt M1911-.45 caliber semi-automatic pistol, as well as bombs and booby traps. Many of these parts are still packaged in military crates, their original Cosmoline packaging, and available in unbelievable quantities. Virtually truck loads of parts are readily available for purchase. Training ammunition is sometimes unavailable to troops but can be purchased by civilians in any amount. Case upon case of this clearly-marked military ammunition sits stacked on the floor, available to cash customers.

One has to ask the question of why this military hardware makes its way onto our streets. Greed is the most obvious answer. There is a ready market that pays in hard cash for military hardware. Gang members and other criminal elements are members of the regular military services as well as reserve and National Guard units. Many are recruited into the military by personnel who are

under pressure to produce numbers and less likely to adequately check personal backgrounds.

Many are lured into drug-related crimes as well as gang-related criminal activities after being introduced in the military service, and there is also the unscrupulous individual trying to make a fast buck.

I have had gang members and other criminal elements in my own units, as well as having arrested and investigated many members of the military. I routinely liaison with many military investigators who share their frustration with me at having gang members and criminals in their installations. Narcotics and gang violence are no longer strangers to life on military posts throughout the world.

This, however, does not answer the question of how these weapons make their way from military reservations onto the streets. It has been my personal experience while in the military in a variety of assignments that the military lacks adequate controls to prevent theft. Internal and external security at military installations is sorely deficient and unable to prevent these losses. It was not uncommon to see weapons reported lost or missing, written off as damaged or surveyed for spare parts. There is little or no audit trail on spare parts, as they have no identifiable numbers and have no part-for-part exchange rate.

When theft or loss is discovered, reserve and National Guard units have ineffective or no investigative resources available to them. There is little follow-up investigation on thefts, missing, or reportedly destroyed weapons.

As an example, we recovered two fully operational M60 machine guns in a narcotics deal. Both of these weapons had been reported destroyed by the Marine Corps several years prior, but there was no supporting documentation to tell us who and where.

Military reservations and installations have poor internal and external security. I have seen inadequate perimeter and building security as well as storage security. Private security companies are routinely hired to provide security at reserve installations and lack adequate training. Military police at installations all too often lack adequate police training and search techniques to prevent theft.

In short, there are not enough controls exercised by the military and inadequate records to trace recovered military weapons, explosives, and spare parts.

Having both a long military and police background, I feel qualified to state that the military lacks introspection. They are understandably concerned with readiness and training. Defense of this Nation by a well-trained, well-armed military is of the utmost importance. It is, however, important that they be reminded that they exist, live, and train in a country that is not at war and in a society that is, in general, not hostile.

The same people they have sworn to protect are in many cases victimized by their failure to control the weapons of war. This lack of concern is all too often measured in a loss of human life in a society that is already burdened with uncontrolled violence.

Thank you, sir.

Chairman GLENN. Thank you very much.

Mr. VAUGHN. I welcome any questions from you, Mr. Chairman, or members of the Committee.

Chairman GLENN. Thank you very much. I appreciate it.

Mr. CARTER, where do you think most of the losses are occurring, in the repair shop where the actual repairs are being made, or depots, warehouses, where in the system are the greatest losses, or is it all of the above?

Mr. CARTER. All of the above, sir. They filter out from every place they touch.

Chairman GLENN. Are these the kinds of parts, like those I have here, that you were taking out and selling?

Mr. CARTER. Or similar, sir. A lot of those smaller parts aren't really worth a great deal of money, no incentive. The large part, the bolt carrier on the right, your left there, is worth approximately \$20, \$25 cash.

Chairman GLENN. What was the value of material you took out and sold? Do you have any estimate of that?

Mr. CARTER. I have no exact figure. I am guessing between \$5,000 and \$10,000. The GAO figure is between \$20,000 and \$30,000.

Chairman GLENN. You mentioned that "everyone is doing it", in sort of a general reference, referring not just to gun parts themselves, but to looking as though government equipment or GFE is their property to be taken if they can get away with it, is that right?

Mr. CARTER. In the 10 years that I worked there, I did a running figure in my head of the value of stuff that went out the door, not necessarily myself but just stuff that I saw leave that didn't go where it was supposed to, and the figure is somewhere between \$300,000 and \$500,000.

Chairman GLENN. Just off this one base?

Mr. CARTER. Just off the area I worked.

Chairman GLENN. And that would be what, all kinds of gun parts—

Mr. CARTER. Repair parts.

Chairman GLENN. The batteries you talked about.

Mr. CARTER. If you are looking at, say, just strictly C and D cell batteries, \$25,000 a year, 10 years, \$250,000 right there. Automobile batteries, tires, alternators, generators, starters, carburetors, rope, nuts and bolts, light bulbs, windshield wipers, on and on and on, anything you could use at home or anywhere else.

Chairman GLENN. Was there ever any check made at the gate or any attempt made to stop such pilfering. Was it not known that such pilfering was going on?

Mr. CARTER. I can't imagine that it wasn't known because of the great number of people involved in it. Everybody helped themselves in one way or another to something.

As far as being stopped at the gate, the gate was just open all day. You could drive in and out. There was no gate guard. You could come into work before anyone else got there or you could stay after everyone else left, and at lunchtime there usually wasn't anyone around anyway. Most of the things that I took out the door were done during working hours because I didn't want to come in



on the weekend if I didn't have to. This was all during business hours.

Chairman GLENN. You said there were only two audits in 10 years.

Mr. CARTER. Yes sir.

Chairman GLENN. And they didn't mean anything, obviously, from what your testimony indicated. Is that customary at most bases now, that you wouldn't have a supply inventory except a couple of times in 10 years?

Mr. CARTER. I am not sure how it is in other bases. I know in our area and the areas I looked at, there are organizations we supported that never saw any type of activity like that, never had an audit at all in the 10 years that I was there. Our activity was a little more high-profile, and the reason, I guess, that we didn't have more audits was because there are so few people out there that knew how to do it in our area.

Chairman GLENN. Mr. Vaughn, you have had experience on both sides of this. You have been in the military, you have seen some of this theft happening. You said you actually have arrested people in the military for some of these same things in addition to having police experience outside.

What is the best way to stop this, gate checks? That is not the only answer to this, I am sure, but what else can we do?

Mr. VAUGHN. That is an excellent question, Senator. I think security, especially in the military, does tend to lead towards problems in our society. I think there is a general attitude that if we don't have enough, we can order more, and I think there is a general lack of consciousness of the danger and how a military person or the military itself would look at routine tools of the trade.

They lack the understanding of what happens to those things when they reach the street in the hands of individuals involved in criminal activity. The thought of driving down the street in a black-and-white police vehicle and facing a rocket or a heavy machine gun is something that keeps me awake at night. I don't think they have that thought process.

Chairman GLENN. As I indicated in my opening statement, I am concerned, obviously, about the gun parts that we have displayed right here that may add to greater danger for police and for law enforcement officers, wherever they may be. But I am also concerned that this may be indicative of much wider stealing or pilfering from the government, as Mr. Carter indicates, whether it is batteries or rope or windshield wipers or fluid or whatever.

I would like your view of that. You were in the military also. Do you think that it is as prevalent as Mr. Carter indicates?

Mr. VAUGHN. I think in general it is. You gentlemen probably have a better understand in recent articles of what has been missing from the government, overstocked or straight waste. When you go to these gun shows or you travel to swap meets, you can virtually see just about any military hardware available. Criminal organizations have been reported to have a variety of different types of weapons. Some even claim that they can produce armored military vehicles for the right amount of cash.

Chairman GLENN. Is this organized enough that you can go to any of these gun shows and order what you want and they will get it for you?

Mr. VAUGHN. My personal experience doesn't go in that area so much. I have talked to investigators with the Bureau of Alcohol, Tobacco, and Firearms on a weekly basis, and I have been to many intelligence briefings. I think if you have the money, you can find the contact to buy virtually just about anything you want, if you have the cash to pay for it.

Chairman GLENN. Mr. Carter, do you think it is that organized that you can just order what you want?

Mr. CARTER. Yes sir. There are shows that I have been to where that is the case. As a matter of fact, there was one gentleman that I was working with that basically gave me a shopping list and said, this is what I need, how soon can you get it? They were very specific about what they wanted to satisfy the demands of the market. If you went to the right person there at the show and put in a request for something in particular, it would just be a short matter of time before that was carried out.

Chairman GLENN. My time is up.

Senator Cohen?

Senator COHEN. Mr. Carter, did you see a theft of grenades and Claymore mines?

Mr. CARTER. Negative.

Senator COHEN. Plastic explosives?

Mr. CARTER. No, we worked strictly with repair parts in our area. There was stuff like that that filtered out from the Guard units, but as a rule, it was usually ammunition and other types of pyrotechnic devices. Most of those were taken for amusement purposes for the people involved.

Senator COHEN. Was there a sense that because you were a Guard unit as opposed to a part of the uniformed services, full-time that there was greater laxity? Were there less strict standards imposed upon you as a civilian?

Mr. CARTER. Actually, I was full-time with the National Guard and I have been full-time with the Army as well. This is part of 13 years of active duty. The attitudes weren't that much different, from what I have observed. The National Guard unit I was in was a bit more relaxed. Most of the units I worked with were fairly well relaxed, some to the point of unconsciousness. I don't know that it would be any different on an active Army post.

Senator COHEN. Now you don't strike me as being a master criminal type. Senator Glenn and I have sat through many hearings on this Committee. We have had chop-shop criminals come in and teach law enforcement officials how they get into cars in a matter of seconds and take them out and chop them up within just a few minutes as a means of educating the police and the manufacturers, as to how to deter this type of activity.

I assume that you could give some pretty easy recommendations to prevent the kind of small-time, if you will, pilfering that takes place or took place with you. There are a lot of very creative people and minds in the military as there are elsewhere. Is it your judgment that as soon as we put a computerized system in place as

GAO has recommended, there would be those who would find creative ways to evade that?

Mr. CARTER. Quite possibly. If you run a computer supply system or any kind of computer system with the military, you want creative people around you. It makes your job a lot easier. You want honest creative people.

As far as the computer programs that would help account for where stuff went, like a history record, some type of transaction history on computer that would let you know what happened and when it happened and who did it, that would definitely make a big difference. Better physical security would have stopped 99 percent of everything that I did. If you can't get it out the gate, there is no point in taking it.

But the mindset on a lot of the leadership in the Guard where I was at was basically look the other way, it doesn't really happen—

Senator COHEN. There has been some reference made to morale. What if you had a situation where you had the base commander held strictly accountable? For example, if you had an investigative SWAT team come in periodically to various facilities and run through a check to determine the strength or laxity of the security requirements and hold the base commander accountable. Would that improve morale?

Mr. CARTER. I am not sure what the effect was. If I—

Senator COHEN. It would improve security, never mind morale, it would improve security.

Mr. CARTER. It couldn't hurt. The first thing they would attempt to do would be to cover it all up. As a matter of fact—

Senator COHEN. Cover it up how?

Mr. CARTER. In whatever way, shape, or form they could.

Senator COHEN. I am talking about having a real investigative SWAT team go in unannounced and make periodic "sweeps" to find out what kind of regulations are in effect and what security measures have been taken or not taken.

Mr. CARTER. That would probably work.

Senator COHEN. How are they going to cover that up?

Mr. CARTER. No, I guess I misunderstood your question. A little bit of that would go a long way toward creating the right mindset to make sure that things are complied with, most definitely.

Senator COHEN. Mr. Vaughn, as I listened to you, I jotted down "Miami Vice". We are always talking about television and the impact of television. Is art imitating life or is life imitating art. I used to watch some of these programs, still do occasionally, and have thought what a preposterous caricature of life, the notion that somehow somebody can order a truck full of anti-TOW missiles or Claymore mines. It seems preposterous, just Hollywood or the networks trying to promote something that is not, in fact, true.

Then I listen to you, and there is a lot of credibility that one can attach now to these various programs. In fact, it seems easy for those of a corrupt mind to indeed sell these small arms parts for substantial profits.

I will take a second look at the programs to find out whether there is any basis of truth, but you make it sound awfully easy that these parts are getting out into the civilian marketplace.

The question I have is should we prohibit the sale of military weaponry at a commercial level? I know I am going to get a lot of mail on this, but the question is, is that a policy this country should adopt?

Mr. VAUGHN. I don't know if I should answer that and still be able to go back to work.

I think, first of all, that I should clarify that the violence and the weaponry, that the routine, everyday street gang member has. Military weaponry plays a small, a very small part in what is available. They can purchase much better weaponry on the street at a much cheaper price than looking for the military hardware.

The thing I do want to make clear is that it is all available. It is all out there, it is all being used and being seen.

Senator COHEN. Can you purchase Claymore mines out on the street?

Mr. VAUGHN. Not on a routine basis, but you can find the individual that will supply you with military explosives of a variety of kinds. The average street gang member wouldn't be trained in that and how to use it, but we do recover them occasionally in our search warrants and various raids. Mostly being used and stock-piled by your non-traditional type organized crime, motorcycle gangs and other groups, for inter-gang warfare as opposed to used against the police department. But those items in themselves are inherently dangerous. They have a history of bad things happening when you play with them.

As far as the—

Senator COHEN. I just want to clarify the point. Is it a substantial problem that large amounts of military hardware is, in fact, ending up in the hands of gang members, or is it a small fraction? Which is it?

Mr. VAUGHN. It is available. Large amounts of military hardware are available. They are not available on the street corner to the average individual criminal. You get into your more sophisticated organized groups, yes. Some of your survivalists and those type of organizations have a tremendous amount of the military hardware available. But it is not sold on the street corner per se to the average gang member. Some of it—and a lot of it does wind up in their hands through thefts or through sales at gun shows by people that don't really realize what they are doing.

Senator COHEN. I guess the question I really have, and I will end here, Mr. Chairman, but if you have, for example, a legitimate gun dealer, and you have indicated before that sometimes you find he or she would have a military weapon still in the package, unopened—

Mr. VAUGHN. That in itself would be illegal.

Senator COHEN. OK.

Mr. VAUGHN. Those are the types of things—you are not going to go to a gun show and see a LAW rocket for sale or an M16 rifle, because they are illegal to possess, those particular items.

Senator COHEN. OK.

Mr. VAUGHN. You can buy the parts to assemble one, if you would like, or to convert an automatic weapon, or the ammunition. You can buy machine gun parts at these shows. But on the other



hand, there are dealers out there that do deal in military hardware, the weapons themselves.

Senator COHEN. But that is illegal under existing law, is it not?  
Mr. VAUGHN. Correct.

Senator COHEN. That is all I have, Mr. Chairman.

Chairman GLENN. Thank you.

The attractiveness of military weapons, it seems to me we have some 200 million handguns in the country now, so they are readily available, as you say. Is the attractiveness of military weapons, is it a prestige matter among gang members, and going from a semi-automatic to an automatic weapon, is that more prestige than it is actual combat requirement on the streets or what?

Mr. VAUGHN. There is some of that Rambo mentality out there, but I think in general these individuals buy what is available, whatever is presented to them. What they don't buy, they steal. So they are going to take what is readily available.

Senator COHEN. Are there any stolen Humvees out there?

Mr. VAUGHN. Not that I am aware of.

Chairman GLENN. But there will be one of these days.

Mr. VAUGHN. There could be.

Chairman GLENN. Just one other question. Mr. Carter, in your testimony you say, "a black market network that is across the country which buys stolen small arms parts from different National Guard units".

Could you elaborate on that a little? Is this an organized network, or are you referring just to a general sales pattern across country? Is this really an organized effort run by somebody who runs a network who does this on an organized basis, or were you talking more in general terms?

Mr. CARTER. When it came to wholesale selling of repair parts, weapons parts, I dealt with three companies in three separate States, California, New Jersey, and Illinois. The organization in Illinois supplies an incredible area of our country. Actually, all three of those businesses supply, I don't know, 50 or 60 percent of the country when it comes to those parts specifically.

Chairman GLENN. Does organized crime get into this? Is there an organized crime network of weapons parts?

Mr. CARTER. I don't know if the person I dealt with was involved with organized crime. That is something that would have to be checked out by someone else. He paid cash. He would pay you in any way you wanted it. He would have it sent anywhere you wanted it. You send him the parts UPS. He would meet you anywhere to buy them, any State.

Chairman GLENN. Did you have any knowledge of his other contacts? Were there other people within your National Guard unit that he worked with also? Were you aware of any other contacts?

Mr. CARTER. Not through him, not through him, but other associates in the Guard and people that I have done business in the past, it was common knowledge of who this guy was and who other people were in the business, so to speak. It was well known.

Chairman GLENN. Thank you.

Do you have anything else, Senator Cohen?

Senator COHEN. One final point. Mr. Vaughn, you indicated that gang members are actually recruited to go into the military, either

the Guard or active duty, because of pressure to fill quotas. My understanding was we are trying to "downsize" the military and have a smaller fighting force, so where is the pressure to allow gang members to slip in under the net?

Mr. VAUGHN. Having retired in 1990, the downsizing is a new thing, I think, for a lot of people. But when I was in the Guard, I had people enrolled in my unit that didn't exist. They virtually did not exist. They were taken out of a phone book or created. I had criminals in my organizations, in my Guard units, narcotics organization, and gang members.

I always asked myself, how do these people get recruited? How do they get in there? During those days, there was a tremendous amount of pressure put on recruiters to produce numbers, bodies as opposed to qualified folks.

On the other hand, there have been members of the military that have become involved in gang activity. In the last four or 5 years, and of course now that some of these bases are going to be gone out of my area and it won't be my problem anymore, but we had 50 or 60 members of a motorcycle gang that were active members of the military living on one post together that we had problems with.

Senator COHEN. Kind of a symbiotic relationship between the gang members influencing the military and the military influencing the gang members?

Mr. VAUGHN. Exactly. My apologies to Mr. Carter. I didn't mean my statement to be pointed at him, but there are people whose sole purpose is to use the military as a shopping network as opposed to those folks who don't really realize some of the things that they do when they sell a boxload of small parts. It may be insignificant to them but a lot more significant to folks like me that see them on the street in the hands of people that shouldn't have them.

Senator COHEN. Thank you very much.

That is all I have, Mr. Chairman.

Chairman GLENN. You say you had fake people on the roster, people that didn't exist? Did I hear you correctly?

Mr. VAUGHN. That is correct, sir.

Chairman GLENN. You mean they just put a name on the roster? What happened when you had drill days and so on?

Mr. VAUGHN. They were counted AWOL for up to 2 years, never showed up for their basic induction training, but we had to keep them on the books to show that we had a full-size military unit. We fought that for years and years and years.

Chairman GLENN. Did somebody get their pay, or what—

Mr. VAUGHN. There was no pay because they never showed up. They were inducted into the military, they had a name, a social security number, but they never showed up for basic training, and we carried them AWOL. I reported them AWOL every month. I couldn't find them in the State system, I couldn't find them in the computer system, no address, no home phone number. Eventually we ended up discharging them after approximately 2 years, but it kept our military strength reporting up. We had a full-size unit on the books. We went through that for years.

Chairman GLENN. Have you ever seen that, Mr. Carter?

Mr. CARTER. I have seen things like that. It was fairly common. There is a lot of pressure on commanders to have the numbers where they should be as far as people.

Chairman GLENN. Did you find fake names on there where bodies didn't exist to match those names?

Mr. CARTER. They would have addresses and phone numbers that were a corner somewhere in Detroit, a phone booth, that was the address and their phone number, and they would show up long enough to get issued a full set of gear, which they would promptly take down to the pawn shop and sell, and that was the last you ever heard of this person.

Senator COHEN. Mr. Chairman, we have had stealth fighters but now we have phantom soldiers. It is quite revealing. I am sure in your Subcommittee on Armed Services you will want to examine end strength numbers.

Chairman GLENN. We do, indeed. We both are on the Armed Services Committee, and until just this year I was chairman of the Personnel Subcommittee in which we worked very, very hard to try and get the Guard and reserve in the proper roles and missions and so on. It is very disturbing to hear this. This is something new. We had occasional cases, but you are indicating that this was not uncommon at all, I gather, is that correct?

Mr. VAUGHN. It was not uncommon for at least the California National Guard system, but I think the key, as the Senator explained, is that with the downsizing, I think there can now probably be an emphasis on quality as opposed to quantity, and I think that that will probably eliminate the pressure to recruit to full strength.

Chairman GLENN. You can hardly measure the quality if the quantity is zero. We may want to follow up with you later on and follow up on this particular issue.

We are going to have to move along here. Thank you. We may have other questions for you. We would appreciate a response so that we can include it in the record.

Chairman GLENN. The next witness is General Leon Salomon, Deputy Chief of Staff, Logistics, Department of the Army.

General Salomon, we welcome you this morning.

General SALOMON. Thank you, sir.

Chairman GLENN. You have heard our testimony this morning. I am sure you find it disturbing, as we do.

General SALOMON. Yes sir.

Chairman GLENN. We look forward to your testimony. Thank you for being here this morning.

#### **TESTIMONY OF LIEUTENANT GENERAL LEON E. SALOMON, DEPUTY CHIEF OF STAFF, LOGISTICS, DEPARTMENT OF THE ARMY**

General SALOMON. Mr. Chairman, I am Lieutenant General Leon Salomon, the Army's Deputy Chief of Staff for Logistics. Thank you very much for the opportunity to appear here today to address the General Accounting Office's report on internal controls over small arms.

With your permission, I have a written statement I would like to submit for the record. I will summarize its key points.

Chairman GLENN. It will be included in its entirety.

General SALOMON. As the GAO testified earlier, they conducted a review of small arms parts control at six Army locations, three active and three National Guard, between November 1991 and January 1993. For reasons which I both understand and agree with, I have not been provided a copy of the report we are discussing today. We got that as the meeting started. However, my staff has been briefed on its content.

Simply put, the GAO found problems. Our internal controls need strengthening, management was inattentive, physical security lapses were noted, and the automated supply system that was operational at the sites GAO visited was vulnerable to abuse. Sir, not good news.

At the outset, let me say that my top and bottom lines are the same. The GAO's findings, especially those that indicate an opportunity for criminal activity, deeply concern me both as a soldier and as a citizen of this great country. The Army needs to improve. GAO's recommendations have my full attention, and corrective action will be taken.

Small arms, such as light machine guns, pistols, rifles, and shotguns are authorized in almost every Army unit around the world. In fact, we now have over four million small arms in our inventory. Most are entrusted to commanders of approximately 19,000 company-size units.

These weapons are made up of many individual parts and assemblies, such as barrels, bolts, buttstocks, hand guards, firing pins, and sear springs. Millions of parts must be readily available for the repair of these weapons across the entire spectrum of the Army, and that includes the battlefield, so that our soldiers' weapons are ready when needed.

Mr. Chairman, for example, the M16A2 rifle alone has 109 different repair parts.

Our logistics system, especially at the troop level, must be able to support power projection and the rapid deployment of forces to and from any place in the world. For example, we sent additional troops to Somalia last month. The first increment was an immediate reaction company from the 24th Division at Fort Stewart. We alerted them on Saturday, and by Tuesday they are on the ground in Mogadishu with 14 Bradley fighting vehicles, four Abrams tanks, 210 soldiers, along with their equipment, ammunition, small arms, small arms parts, and computers.

Today's military mission presents us with the challenge of striking a balance between control and the ready availability of needed items. On any given day, in addition to our forward deployed troops, there are over 20,000 soldiers deployed throughout the world.

This Committee knows better than most that America's Army is going through a period of massive change, reshaping, and reduction. Between 1989 and 30 September of this year, 208,000 active and 91,000 reserve soldiers have left the Army. We have reduced our troop strength in Europe by 50 percent.

Sir, despite these challenges, you should not be tolerant of our mistakes or relax the standards. I make this point because as



America's Army is rapidly changing, we welcome another set of eyes. The GAO provides those eyes.

The GAO report signals that we have improvements to make in internal controls, automated systems, and physical security. By strengthening internal controls, we can improve our inventory management, ensure tighter accountability, and reduce the risk of theft by those few—I repeat, those few in our force with criminal intent.

Current Army policy includes many provisions designed to reduce the risk of loss and theft. For example, regulations restrict access to specific parts, limit on-hand quantities, require periodic inventories, and mandate command review of stockage levels. Army regulations also require physical security inspection of all arms rooms at least every 18 months.

If an inventory or physical security inspection reveals a loss and negligence is suspected or the loss involves a sensitive item, the commander must appoint an officer to conduct a complete investigation. When criminal activity is suspected, the investigation is referred to the appropriate law enforcement agency.

I am particularly concerned by GAO's findings and believe that the Army's retail supply system, which is called SARSS-1 interim, is vulnerable to abuse. Corrections to many of the deficiencies noted by the GAO are incorporated into an enhanced version of the system we are currently fielding. I will closely study this aspect of the report to learn how we can improve.

Since the GAO visit to the six sites discussed in the report, the Army has taken corrective actions concerning the deficiencies. The Army is implementing a policy that separates the duties of the individuals who inspect and repair the arms from those who maintain the shop stock records.

At Fort Benning, a separate security cage has been built for the storage of small arms parts. The 801st Maintenance Battalion at Fort Campbell will move by February 1994 to a facility with a vault for sensitive and pilferable small arms parts.

The National Guard has been conducting unannounced audits of small arms parts control since last year. This has also been a key area of attention during the Guard's recent logistics review.

The Army has been focusing and will continue to focus the need on compliance and internal controls. The Secretary of the Army in August 1992 and again in October of this year emphasized the importance of internal controls to ensure effective management, mission accomplishment, and stewardship of public resources. Additionally, internal management control checklists as well as command supply discipline program checklists require inspection of these critical areas.

Over the past 1½ years, I have spoken to every major Army command commander, every corps commander, every division commander, every brigade commander and battalion commander on this subject of internal controls. I will continue to emphasize to commanders and supervisors up and down the chain the importance of complying with existing policy, focusing on their lawful responsibility to reduce the risk of mismanagement and criminal activity and taking appropriate and expeditious action.

Mr. Chairman, the GAO review shows America's Army must improve. We can, and we will.

The Army has recognized these problems in its annual assurance statement prepared under the Federal Managers' Integrity Act and is taking action to correct them. We have been reporting a material weakness on our problem with small arms parts in the National Guard since 1991. Based on my understanding of this report that we are discussing today, I have expanded this material weakness to address the issue on an Army-wide basis.

The Army has also been carrying property accountability as a departmental weakness since 1989. Our corrective actions increased departmental oversights of property accountability trends.

I have directed my command logistics review team to focus on the management of small arms parts at every location they visit this year. The Army Inspector General will also be conducting a special review of small arms parts this year. Our commanders will be directed to place additional emphasis on this in their command inspection programs.

I will use the GAO's vulnerability analysis of the Army's interim supply system to identify potential enhancements to that system and explore the cost effectiveness of further improvements to our objective system. The objective system is a real-time system that would have prevented many of the noted security breaches.

Members of the Committee, as you know, the purpose of our logistics system is to be agile, supportive, and responsive to our combat force. We continually strive to find the proper balance between responsiveness and control. This report will assist us in realigning that balance.

Sir, our policies must make sense at the soldier level. In making policies that balance responsiveness and control, I have always been guided by General Eisenhower's observation that farming takes on a whole different meaning when a pencil is your plow and you are a thousand miles from the field.

Sir, you have my commitment that the issues surfaced today will be resolved. Thanks for the opportunity to appear. I welcome your questions.

Chairman GLENN. Thank you, General. Thank you very much.

My first question will be: I think this is fourth report on this specific subject over 3½ years, and we have had the same assurances every time we have come out with another report. "We have talked to our commanders, we have done this, we have done that, we have done something else," and yet it continues.

I accepted at face value previous assurances of people who sat right where you are sitting and said they are going to fix it up, yet it seems to me that what we are dealing with here is not new command structure, is not new organizations or whatever. It is something that instills in people honesty, number one, and a way to find out if honesty is not their major trait, some way to find out that they are stealing, and that occurs right at the local level. That occurs when somebody walks out of the warehouse and gets in their car to go home at night.

How do you address it at that level? Is that part of what your commanders are going to address? Are we going to have gate checks? I hate to keep bring up gate checks, because maybe that's

so old hat you don't do that anymore for whatever reason, but it used to work. Is anybody instituting such a commonplace item as that these days?

General SALOMON. Sir, in my previous life, I was a post commander. We did not use gate checks all the time, only when we had indicators through our internal controls program that problems were going on. So it was a periodic check that we used. Sir, that is something we're going to have to look into some more.

Chairman GLENN. Are your internal controls good enough to know when this is going on? I think that was the point that Mr. Carter made, that nobody knew anything about what was going on. They had only been audited twice in 10 years. Nobody knows what is going on, and with the lists of what material he got, he could fake that on the computers and nobody knew the difference. So how are you going to know when things are being stolen?

General SALOMON. Sir, with respect to the computer aspect of it, that is probably one of the most vexing problems we have in that we have designed our logistics system so our direct support units, the ones that have these kinds of parts, can provide them to a multitude of customers.

So what happens is that if you were in any area and the unit was going through it and needed a particular part because of a weapon, we are allowed to have what is called a post-post transaction. We issue the item and update the computer later.

We would have to change our doctrine to get at that kind of situation, and that is why I say that is one of our most vexing problems that we have.

I have a command logistics review team. Last year, we went to about 52 different areas and inspected physical security areas and small arms rooms. Our results were not as bad as what we have found on the GAO report. I have to go see if I am checking the right thing. I will be up front, sir. We were not specifically looking at these six parts that you have seen here.

Chairman GLENN. I don't want to overblow these into this being the be all and end all of the problem. It is not. These six parts are used as an example of what is going on, an example that we are very concerned about. But I am also concerned, as I indicated, about the bigger picture of everything that is going out the front gate.

You made a major point out of the fact that we have to be responsive for emergencies and you are going to Somalia and all of that. That is true, but responsiveness doesn't automatically mean no accountability, and I am sure you would agree with that statement.

General SALOMON. Yes sir, absolutely.

Chairman GLENN. And accountability goes right along with responsiveness, just as much overseas as it does here. I know there are going to be losses as you transfer equipment around, and that is expected. I am very much aware of that, but I think accountability has to be built into this system wherever we are, in or out of the country. That is just as much true in Somalia as it is right here.

General SALOMON. Sir, I didn't mean to imply that. If I did, I apologize. I am trying to talk to what the balance is between the responsibility and the control.

Chairman GLENN. After these previous reports that we had here, what was actually done? How long have you been in your job?

General SALOMON. Sir, I have been in the job about a year-and-a-half, a little over a year.

Chairman GLENN. So some of this occurred before you were on the job. Do you have a run-down you can give us on what occurred starting along back in about 1990 when the first report came out? We thought automatically these things were going to be checked and that they would all be corrected. Now here we are three more reports later and the same situation exists.

General SALOMON. Sir, Red River came up several times during the testimony. The information that I have been provided, I think there were 39 or so major deficiencies. We are right now, the last check I made, 35 of those 39 deficiencies have been corrected and we are going into audit to see if the last four—

Chairman GLENN. How about the other bases, though? Have they been alerted and the same thing has been taken care of at other bases also, not just the ones that were inspected? These were just indicators of what is going on in the whole system.

General SALOMON. Yes sir, to put that out—as you know, some of the other testimony we had has been involved with inventory management and the excess, and that has come down dramatically, the excess at both, which is part of this problem, because the more excess you have, then these are the kinds of things that have happened. The dollar value of that has gone down dramatically at both what we say the retail level and in the wholesale level in the Army Materiel Command.

Chairman GLENN. That has been a good move, I might add. We pushed that on the Armed Services Committee where all three of us serve. Only replace the 65 percent rule, with which I am sure you are familiar.

General SALOMON. Yes sir.

Chairman GLENN. We only replace 65 percent until we draw our stocks down to about a level where they should be instead of some of the excesses we have.

General SALOMON. One of the areas, and this is not meant in any way as an excuse, right now we are in a process at Anderson Army Depot demilling over one million small arms weapons.

Chairman GLENN. Good job.

General SALOMON. The magnitude of what we have in front of us to get this accomplished, it is awesome when you look at those numbers and then you add up the parts that are involved that must also be demilled and must also be shredded.

Chairman GLENN. I think the local commanders out there have to get on something like this of all kinds of pilfering. I don't know whether gate checks or other things, or barracks searches, or whatever are the answer. If it offends somebody, well, that is too bad. I was offended when I used to get pulled over once in a while, too. But it seemed to me that we didn't have the same kind of problem



we have now, and maybe you have to take some pretty commonplace actions like that and deal very, very harshly with people that have government property in their car going off base.

General SALOMON. Yes sir.

Chairman GLENN. Senator Cohen?

Senator COHEN. General, you indicated you made a sweep of a number of bases and you didn't find as poor a result as GAO did. What kind of investigation were you making?

General SALOMON. Sir, as the desk log, I have what is called a command logistics review team and this year, they will go out to about 14 different installations. What I base that on is the material weaknesses that we have submitted in the Chief Financial Officers Act, and one of the areas we wanted to look at was property accountability and physical security in arms rooms. We also have checklists that have been published for each one of the units to do that. So we scoped in on this physical security point of view.

Now I would be the first to say this is another set of eyes for us. We weren't looking into these parts specifically, but we were looking into the physical security aspects of that. To try and get at that some more, as Senator Glenn was mentioning, this is the first year we will have the IG looking at this.

Senator COHEN. What happened when you found deficiencies? What did you do?

General SALOMON. Sir, the system is—this is an assistance program—a good question. What we do, I provide that to the local commander. That is our policy. And it is up to the local commander to take the appropriate action. What I have done personally, because I know most all these corps commanders, I then sit down and write them a letter to make sure that this has been brought aware and is not down inside the staff and the information does not get up to them.

Senator COHEN. Now what happens at this point? Suppose you have found particular deficiencies and have written a letter saying, Commander, this is the problem we have. Do you go back again to find out whether or not he—

General SALOMON. Presently we do not, sir.

Senator COHEN. Don't you think that, at a minimum, what you have to do is set the standards and then insist that the base commanders be responsible?

General SALOMON. Yes sir.

Senator COHEN. I mentioned before the possibility of going in on a sweep and making a real investigation and then holding the base commander. Should that be done?

General SALOMON. Sir, that is one thing that we are going to have to reconsider, because in the past, we have empowered the commanders to do that, to take those appropriate actions. Now we have some additional information that we have got to go back and look to see if we need to change that policy.

Senator COHEN. Do you intend to implement some, or all, of the GAO recommendations?

General SALOMON. Sir, naturally after we go through the review and if there are some points of differences, we will go through that, and there is a process for doing that through the Army and the DOD IG.



Senator COHEN. Were you stunned by the testimony of Mr. Vaughn that they have phantom Guardsmen?

General SALOMON. Yes sir.

Senator COHEN. Is that a problem that you have ever been aware of?

General SALOMON. Not in my career, and that is one of the reasons I came here to sit through it all, because this is a—I think you had indicated, and Senator Glenn, it is very helpful to get these various types of information, because when you are making these policies, all the input that you can get is very, very helpful. But the answer to your question is yes, I was stunned.

Senator COHEN. General, I will just conclude by saying I think we all recognize there has been an attitude problem. If you don't set the standards at the top, if you don't really insist upon the proper attitude at the top, then those at the bottom are going to take advantage of the system and exploit it. I would seriously recommend that you institute some kind of a system whereby you will go in without notice periodically and conduct a base check.

If you find deficiencies, you should hold that base commander accountable. He or she should have known about the deficiencies and there should be consequences, real consequences, for failing to measure up to the standards that will be set.

That is all I have, Mr. Chairman.

Chairman GLENN. Senator Levin?

Senator LEVIN. Thank you, Mr. Chairman.

First, let me commend you again, Mr. Chairman, for your leadership. This is a very, very disturbing area, and our Chairman has performed an important role here, and an important function by insisting that this problem be solved once and for all. It is awfully frustrating for him and for us on the Committee to come back again, for I don't know how many times, and basically hear the same story from the GAO and the same commitment from the person sitting in that chair.

Are you going to take personal responsibility to cure this matter?

General SALOMON. Yes sir.

Senator LEVIN. Do you have any idea how many people have been arrested for theft of small arms and small arms parts?

General SALOMON. No sir, I will submit that for the record.

Senator LEVIN. Would you do that?

General SALOMON. Yes sir.

Senator LEVIN. And would you also tell us what has happened to them?

General SALOMON. Yes sir.

Senator LEVIN. If you have had 100 people arrested and 50 people tried and 18 people convicted and what their sentences were, would you be specific about that?

General SALOMON. Yes sir. We tried to anticipate that, but you have to go out to each individual installation and go back and look at the—

Senator LEVIN. That may be one way of sending a signal to each installation as to what we are about here, because obviously this is not going to be tolerated.

General SALOMON. Yes sir.

Senator LEVIN. You know, this small arms theft problem reminds me a little bit of the Energizer bunny. It just keeps going and going and going. We think we finally get someone truly energized to end it and it just keeps going on.

The ramifications here are both fiscal but also physical. The parts that get out, as the Chairman has demonstrated, threaten our law enforcement people, threaten our innocent citizens out on the street. Our own Army product is out there killing our people, not the bad guys, our good guys.

The other part of it is fiscal. I just came from a meeting of the Armed Services Committee on the nomination of the new Secretary of the Army, and people are talking about the lack of resources. We had a whole bunch of folks yesterday voting against the defense budget who are very strong on defense as a protest against the cut in the size of the defense budget.

When we waste resources, as we are wasting them with this kind of a situation, we are jeopardizing our very security in terms of what we need to be doing with our defense dollars. In addition, as the Chairman has pointed out, we end up threatening our own people by the pilferage of parts and equipment which end up upgrading a semi-automatic to an automatic, for instance, or a machine gun.

The Chairman and others on this Committee, I know, are serious. I don't know what more can be done, other than to impress upon you that seriousness and to require that you get back to the Committee with your response to the GAO report. I don't know that that has been specifically requested of you, but I am sure that all of us would want to know.

You said you are going to sit down with the GAO and go through their recommendations. It is your intent to implement all of them, but we, I am sure, would like to know what specifically you are going to do to implement each one of those. If the Chairman hasn't already asked, I am sure that he would not have any problem with the request that you get back to us with that.

Chairman GLENN. That is fine.

Senator LEVIN. The key to me is responsibility, yours and the commanders on the scene. Something is going to give here. It is pretty obvious that something is going to happen that will shake up this system dramatically from on high rather than from below, unless you folks can figure it out for yourself. The right way to do it is for you to figure it out and do it. But if you don't, you are going to find some Congressional rearrangement of the whole operation.

We in Congress shouldn't be micro-managing, Lord knows, but what are our options when year after year after year the GAO comes back and tells us almost in the same words as they did previously what the problem is.

I mean, you could almost take this GAO report, when you go through it, and see it is the same problem: large and consistent problems of small arms parts; number of reported incidences of theft; significant circumstantial evidence that they are not isolated cases; that the Army has assigned a low priority to depot missions, including control and security of inventory items; the Army has failed to conduct oversight and monitoring activities. I mean, I

think if you compared the report that we got today with the one a year or two ago, it is almost word for word the same problem.

General I don't want to beat up on you too much because I know you are trying the best you can, but you have to do better.

General SALOMON. I agree, sir.

Senator LEVIN. And finally, I just want to raise one quick point with you. You very carefully stated relative to excess inventory that the dollar value has gone down, most of that through reevaluation. In other words, most of the dollar value reduction in inventory has come just because it has been revalued rather than that the physical amount of the inventory has been reduced, and that is an area that my Subcommittee has gotten into particularly. The full Committee has as well, and we will be proceeding to make inquiry about the excess inventory issue.

General SALOMON. Yes, I think, sir, I will be over there talking to you on this also.

Senator LEVIN. I just want to let you know that we are pressing forward with that and that everyone should realize that there is a big difference between the dollar value of excess inventory going down and whether the physical inventory has gone down. We are going to press that latter issue with you, and thank you very much.

General SALOMON. Sir, if I could give one response, and please, I don't mean this to be as if I am trying to dilute the report, but one thing we have to work with the GAO on this, we have a different opinion on if all of these parts have come from a military weapons room. Some of our research preliminarily indicates that these are also readily available and sold commercially, so we have to see how much of that came from—

Senator LEVIN. That is fair enough.

General SALOMON. Sir, we have to work with the GAO on that.

Senator LEVIN. If you reach a different conclusion, just let us know.

Chairman GLENN. Good. That is fine, and I welcome that. I don't like sending GAO in once a year or once every 6 months as a watchdog here. They make their report and then they are off in a vacuum someplace here. I think you should be working together with GAO and making suggestions regarding their findings. That can help you and vice versa. I don't have any problem at all with you working together on this.

Let me follow up a little bit, though, on what Senator Levin was talking about. We went back a bit in the record. In 1986, we had a Senate task force on inventory management chaired by then-Senator, now Governor of California Pete Wilson. The report came out that the Army had incomplete documentation of its inventory and inadequate physical security.

Here we are 7 years later, and every time we try and get into an investigation like this, we are told we are trying to micro-manage again. "Why don't we get out of everybody's hair over there and let them run their shop?"

Yet here we are 7 years later and I personally have been through four GAO reports and I don't want to chair a fifth.

General SALOMON. Yes. Right.

Chairman GLENN. That is my bottom line on it. I hope you can straighten this out. I think we need to commit right now to a hearing on this sometime next summer or sometime 7 or 8 months from now so that we can see what progress is being made.

Another comment was made also by Senator Levin about our accounts here. These accounts in the Armed Service Committee are very serious. I chair the Readiness Subcommittee and that has all the operations and maintenance accounts (O&M). I had to take a \$2 billion hit on that and I fought that tooth and toenail.

General SALOMON. I know, sir.

Chairman GLENN. That is cutting into the readiness of this Nation's military forces, and I didn't want to do that. We had to do that because the O&M accounts are the fast-spending accounts, so they do more to balance the budget this year than anything else. That is the traditional way. You hit and then you ask the Pentagon to request reprogramming from us so we can still even keep operating. Right now, we are on a \$2 billion deficit in those O&M accounts and can't get the equipment we need.

At the same time, we see waste like this going on out the door that neither you nor I, nor GAO have the foggiest idea have an idea of exactly how much is involved.

But while we use the parts here as an example this morning, what may be going off the base in 100 different areas, whether it is rope, or hydraulic fluid, or brakes, or tires, or everything else. Somehow we have to stop this and return to an attitude where soldiers don't look at government property as their own shopping place without having to pay the bill.

The National Guard issue disturbed me. I hadn't heard that one before and I want to look into that one. I am sure you will carry that word back to the Pentagon to look into that also.

We want to work with you on this, but we are going to have another hearing on this. I will commit to that right now. We will want to get a status report on what you are doing about this GAO report. We will probably have that sometime next summer.

General I appreciate your being here this morning.

General SALOMON. Thank you, sir.

Chairman GLENN. I know it is not pleasant. We appreciate your candor on this and look forward to working with you to solve what is a very important problem.

General SALOMON. Thank you, sir.

Chairman GLENN. Thank you very much.

The hearing will stand in recess, subject to the call of the Chair.

[Whereupon, at 12:17 p.m., the hearing was adjourned, subject to the call of the Chair.]



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